

REMARKS

Claims 1 - 32 are pending, claim 16 having been amended to correct a typo, and claims 17 - 32 having been added.

Claims 1 - 7, 10 - 11 and 13 - 16 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kleinberger et al. (U.S. Patent No. 6,252,707). Reconsideration of this rejection is respectfully requested. Contrary to the Examiner's assertion that Kleinberger et al. (in Figs. 5, 8 & 9) shows an "optical magnifying system having left and right optical viewing systems with respective optical axes that are aligned substantially parallel with one other", no such optical magnifying system is disclosed in Kleinberger et al. Although Kleinberger et al. discloses eyeglasses having left and right eyepieces 24 and 25 that allow only light of different polarizations or wavelengths to reach each eye, there is no disclosure in Kleinberger et al. of these eyepieces being magnifiers. Thus, claim 1 and claims 2 - 7, which depend from claim 1 and include its limitations, are not anticipated by Kleinberger et al. Independent claims 10 and 11 are not anticipated by Kleinberger et al. by reason of the similar limitation at line 4 of each claim regarding there being "an optical magnifying system". Independent claims 13 and 14 are not anticipated by Kleinberger et al. by reason of the limitations at lines 5- 6 thereof regarding there being "an optical magnifying system that forms intermediate images" (illustrated, for example, in applicant's Figs. 17 - 19). Not only is there no optical magnifying system taught in Kleinberger et al., there is no suggestion in Kleinberger et al. of using such a system to form intermediate images. Independent claim 15 contains the following limitations that are not taught by Kleinberger et al.: "an optical system positioned in each light path following the displayed left and right images which forms collimated left and right light beams" (lines 4 - 5), "an imaging lens for focusing the collimated left and right light beams onto the same position" (lines 7 - 8), "an optical magnifying system that forms intermediate images of the displayed left and right images" (lines 9 - 10), "the light at the intermediate images is divided into left and right light paths by a difference in the positions of the entrance pupils of the light forming the intermediate images" (lines 12 - 13), and "a viewing system that forms images of the intermediate images at respective left and right exit pupils, the viewing system having an effective aperture that exceeds the distance between the left and right exit pupils (lines 14 - 16). Claim 16 depends from claim 15, and thus is not anticipated by Kleinberger et al. at least for the reasons as

discussed above for claim 15. Furthermore, the additional limitation regarding changing the distance between the collimated left and right beams is not taught by Kleinberger et al. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. 102(e) of claims 1 - 7, 10 - 11 and 13 - 16 as contained in the last Office Action be reconsidered and withdrawn.

Claims 8, 9 and 12 stand rejected under 35 U.S.C. 103 as being unpatentable over Kleinberger et al. (U.S. Patent No. 6,252,707) in view of Waldern et al. (U.S. patent No. 6,407,724). Claims 8 and 9 depend from claim 1, and because Waldern et al. does not teach or suggest the features noted above as missing from Kleinberger et al., the combination of Kleinberger et al. in view of Waldern et al. would not make claims 8 and 9 obvious. With regard to claim 12, although Waldern et al. includes a dynamic optical element 12 (such as an electrically switchable holographic optical element) which acts as a lens, there is no suggestion to provide "at least two holographic optical elements having different optical axes, each holographic optical element having an effective aperture that includes the optical axis of the other holographic optical element" as is claimed in lines 5 - 7 of claim 12. Nor would the combined teachings of Kleinberger et al. in view of Waldern et al. suggest "an optical magnifying system" as is claimed at lines 3 and 4 of claim 12. Therefore, it is respectfully submitted that the combination of Kleinberger et al. in view of Waldern et al. would not make claim 12 unpatentable.

Having pointed out that Kleinberger et al. does not anticipate claims 1 - 7, 10 - 11 and 13 - 16, and having pointed out that Kleinberger et al. in view of Waldern et al. would not make claims 8, 9 and 12 unpatentable, it is respectfully requested that the rejections of the last Office Action be reconsidered and withdrawn. Further, it is respectfully requested that newly added claims 17 - 32 be examined. Claims 17 - 32 correspond to claims 1 - 16, respectively, except the "display means" limitations as contained in claims 1, 3, 4, and 9 - 15 have been changed so that "means plus function" terminology is avoided. Furthermore, unless more pertinent prior art is found, it is respectfully requested that an early Notice of Allowability be provided.

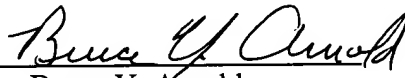
Attached hereto is a check in the amount of \$804.00 to cover the cost of the added claims

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(i.e, \$216.00 to cover the cost of 12 claims in excess of 20 claims total, at \$18.00 each, plus \$588.00 to cover the cost of 7 additional independent claims, at \$84.00 each). Please charge any additional fee that may be required, including any extension fee needed, to the undersigned's Deposit Account No. 01-2509.

Respectfully submitted,

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